

SUMMARY REPORT

MAY
1989

BIGOTRY
AND
VIOLENCE
IN
GEORGIA

GEORGIA ADVISORY COMMITTEE
TO THE U.S. COMMISSION ON
CIVIL RIGHTS

This summary report of a community forum held by the Georgia Advisory Committee to the U.S. Commission on Civil Rights was prepared for the information and consideration of the Commission. Statements and viewpoints in the summary should not be attributed to the Commission or to the Advisory Committee, but only to individuals participating in the community forum where the information was gathered.

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957 and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the act, the Commission is charged with the following duties pertaining to discrimination or denials of equal protection based on race, color, religion, sex, age, handicap, or national origin, or in the administration of justice: the investigation of discriminatory denials of the right to vote; the study of legal developments with respect to discrimination or denials of equal protection; the appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection; the maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection; and the investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 6(c) of the United States Commission on Civil Rights Act of 1983. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

Georgia Advisory Committee
to the U.S. Commission on Civil Rights
May 1989

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The Georgia Advisory Committee submits this summary report for the purpose of informing the Commission on key issues and viewpoints concerning bigotry and violence in Georgia. The report was approved by a vote of 5-0 by the members present. The absent members were contacted and also approved the report.


The summary report provides information received at a community forum convened by the Advisory Committee in Atlanta, Georgia, on June 8, 1987. Every effort was made to assure a balanced perspective of the issues by inviting participation from State officials and representatives of organizations with interest in and knowledge of the subject. Mindful of the Commission's interest in the topic, the Advisory Committee gathered numerical information about bias-related incidents and details about State responses to hate violence.

Although the information provided does not result from an exhaustive review of issues pertaining to bigotry and violence in Georgia, it will be of value to the Committee for further program planning and we hope of interest to the Commissioners.

Respectfully,

Rose Strong, Chairperson
Georgia Advisory Committee

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Acknowledgments

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INTRODUCTION

The Georgia State Advisory Committee (SAC), responding to reports of hate group activities across the State, convened a forum on bigotry and violence in Georgia. The SAC members collected information and materials on the topic from eight panelists, representing key civil rights groups and State agencies. The forum was held in Atlanta, on June 8, 1987.¹

BACKGROUND

The Georgia SAC contributed information in February 1987 for a national survey of data collection efforts concerning racial, religious, and ethnic violence, conducted by the Commission.² The Advisory Committee reported that hate-motivated incidents occurred in the State on the average of one per month since 1980. The agency announced the overall survey results in April 1987, noting that few States were keeping track, in a systematic way, of incidents of racially, religiously, and ethnically motivated violence. The States found to have data on bigotry-related crimes or violence

¹The transcript of the forum, which forms the basis of this report, included certain statements by forum participants that are characterizations, opinions, or allegations, the truth of which was not established with a high degree of certainty at the forum. Such statements may constitute potentially actionable defamation. For this reason, the Advisory Committee revised its earlier plan for transmitting an edited transcript of the forum proceedings and is submitting a summary report.

²Janet Douglass, member, board of directors, Center for Democratic Renewal, letter to Elaine Alexander, Vice-Chairperson, Georgia State Advisory Committee to the U.S. Commission on Civil Rights, February 5, 1987; Civil Rights Violations in Georgia, 1980 - 1986, prepared by the Center for Democratic Renewal (1987), pp. 17-22. The report is on file in ERD.

included Maryland, Pennsylvania, and North Carolina. The results indicated that Georgia's Bureau of Investigation kept internal data but figures were not released.

While preparing data for the Commission's national survey, the SAC realized that the scarcity of data on bigotry-related violence made it impossible to determine with certainty whether the level of such violence was rising or falling in the State. The SAC believed a forum on the topic, with information from representatives of affected groups and State law enforcement authorities, would result in information useful to the Commission. The SAC was prompted also by a series of widely reported racial clashes in Forsyth County, Georgia.

The Forum

The Committee organized the forum into three panels, covering three aspects of the topic (1) overview of the Southeastern region (2) status of bigotry and violence in Georgia and (3) State law on racial/religious violence and bigotry. The SAC asked the speakers to address specific questions intended to elicit responses regarding the issue before the panel.

Panel I--Overview of the Southeastern Region

The panelists were Ozell Sutton,³ Regional Director, U.S. Department of Justice, Community Relations Service, Southeastern Region, and Leonard Zeskind, research director, Center for Democratic Renewal. The panelists were asked to discuss the status of bigotry and violence in the region,⁴ presenting data on incidents, information on State laws and law enforcement efforts, and pending legislation.

Mr. Zeskind of the Center for Democratic Renewal, said that in the contiguous States of North Carolina, South Carolina, Georgia, and Florida, that North Carolina ~~which~~^J has the largest, well-established substructure of organized hate groups among the States in the area. He said that the leading historical hate group continued to hold sway in North Carolina but the group's influence was waning under pressure resulting from recent Federal law enforcement actions. The successful secret Federal probe, involving shootings in Greensboro, North Carolina, generated sufficient evidence to convict several persons believed to be hate group members involved in the crime. Despite the jailing of key hate group leaders in North Carolina, he said, hate violence in the State still reached a total of 36 incidents in 1986. The 36 incidents included 11 cross burnings, 5

³Mr. Sutton was unavoidably detained and did not participate in the forum but supplied supplemental comments in subsequent telephone conversations with ERD.

⁴The southeastern region typically covers southern States as far west as the Mississippi River but for the purpose of the forum the SAC included North Carolina, South Carolina, Georgia, and Florida.

shootings and assaults, 1 death, 2 robberies, 13 threats of vandalism and arson, and 4 partial reports of an undetermined nature.

Mr. Zeskind reported that the chilling effect of Federal infiltration into the organization of the main historical hate group in the State had been offset by an increase in membership in a previously small auxiliary group. This group, he said, had 12 members in 1985 and increased its membership to 385 members in 1986.

The presence of hate groups in Georgia, according to Mr. Zeskind, is less pronounced than in North Carolina but Georgia has the highest rate of increase in new memberships in hate groups among States in the area. He said that membership in the main historical hate organization increased substantially in reaction to civil rights demonstrations in Forsyth County, Georgia, in December 1986 and January 1987.⁵ The realization of counterdemonstrations against the civil rights marches in Forsyth County, he said, prompted hate group leaders to assert that the message of racial separation had wide appeal among whites in the area and substantiated their claim that hate group recruitment reached a significant number of receptive persons. The leaders of the counterdemonstrations, according to Zeskind,

⁵Forsyth County residents mounted angry counterdemonstrations against two marches conducted in the county by a coalition of groups led by the Southern Christian Leadership Conference, the civil rights proponents. The proponents hoped to commemorate the Martin Luther King, Jr., Federal holiday by demonstrating for racial brotherhood, equal employment opportunity, and fair housing in Forsyth County. Their opponents mounted counterdemonstrations, supporting the notion that residents may discriminate on the basis of race.

claimed to have mobilized 5,000 supporters, the largest anti-civil rights gathering in the State in 25 years.

Mr. Zeskind commended State law enforcement, especially the Georgia Bureau of Investigation (GBI), for its conscientious handling of the security needs of both blocs of demonstrators in Forsyth County. He said the GBI did a good job, cooperating with the marchers and coordinating with local police to assure a peaceful handling of events.



Panel II--Status of Bigotry and Violence in Georgia

The panelists were Stuart Lewengrub, regional director of the Anti-Defamation League (ADL) of the B'nai B'rith; Janet Douglass, funds developer of the Center for Democratic Renewal; and Bobby Doctor, director for research and program of the Southern Christian Leadership Conference. Mr. Lewengrub and Ms. Douglass were asked to present data on the total of incidents in Georgia involving racial violence and religious bigotry since 1982, to comment on the trend during the period, and on the effectiveness of State and local enforcement efforts. Mr. Doctor was asked to report the events of the Forsyth County demonstrations and comment on Statewide reactions, attitudes, and local responses to the circumstances arising from the marches.

Mr. Lewengrub, of the Anti-Defamation League, reported that his office participated in the ADL's nationwide program of tracking reports. He said that ADL data was based on direct complaints received in their offices and monitoring news reports around the region. The incidents of anti-Semitism are ADL's primary focus, although many reports of racially motivated incidents were included in ADL data. He emphasized, however, that these data were not the important part of his comments and he would not provide current totals of reports. He said that statistics on incidents do not lead to a precise measurement of the problem of religious bigotry and racial violence and may lead instead to an overestimate of the importance of numerical information. He was concerned that such reports would cause small groups of perpetrators to gain unwarranted significance and spark an overreaction by the civil rights community.

Mr. Lewengrub focused on ADL estimates of the number of persons involved in the Forsyth County demonstrations. ADL estimated 20,000 persons participated in support of the civil rights proponents. He said that contrary to their claims the counterdemonstrators numbered 500 persons rather than 5,000 persons as asserted. He underscored the ADL estimates, noting that civil rights proponents numbered 40 to 1 over the counterdemonstrators. He said that this outpouring of support for civil rights in Georgia marked a significant shift in the white community's attitude toward racial segregation and an embracing sympathy for racial and religious minority groups. He said that the Forsyth County experience was

evidence that the majority of white Georgians and the police were opposed to religious bigotry and racism.

Mr. Lewengrub said that the significance of his observation was that civil rights supporters needed to redirect their attention. The racial attitudes of the white majority, he said are no longer the main problem because earlier resistance to civil rights has been reversed. The civil rights community should concentrate more attention on the nascent, sophisticated, heavily armed, loose affiliation of ultraextreme hate groups.

Ms. Douglass, of the Center for Democratic Renewal, reported a total of 12 racial incidents in Georgia from January to August 1987. These included 7 cross burnings and rallies, 1 arson, 1 assault, 1 vandalism, 1 shooting, and 1 mock lynching at a high school. She that communities in north Georgia, which included Forsyth and other counties, were areas experiencing overt displays of racism and racial polarization between white and black communities.

Ms. Douglass gave a favorable assessment of State law enforcement efforts regarding hate violence. She said that over the past 5 years the GBI mounted a noteworthy response through the Antiterrorism Task Force, especially in the area of detecting paramilitary activity. She gave some local law enforcement agencies a less favorable assessment regarding hate violence. She said that a number of local police departments are

ineffective against hate group violence. A disturbing relationship exists, she said, between hate groups in the area and a number of local police officers. This has led to fraternization and a tendency to avoid meaningful investigation of hate incidents by several local police departments.

Mr. Doctor, of the Southern Christian Leadership Conference, recalled the factors which led SCLC to undertake mass demonstrations in Forsyth County. He described Forsyth County as one of the fastest growing counties in the State, growing from 27,958 persons in 1980 to 35,600 in 1985 or 27.3 percent in 5 years. The county was becoming increasingly wealthy as major corporations and other businesses settled around the area. One result of development in the county, he said, was an increase in per capita income from \$2,655 in 1970 to \$10,645 in 1983. Better jobs and low unemployment made communities in Forsyth County attractive, according to Mr. Doctor.

Mr. Doctor listed a chronology of events regarding race relations in Forsyth County starting in 1912. Three black men accused of sexual assault against a young white woman were lynched in September 1912. The incident so heightened racial tensions, he said, that every black person living in Forsyth County, about 1,000, fled to neighboring counties for safety. Since the incident, the county has had no black residents. Mr. Doctor said that modern attitudes toward race were evidenced in the county in 1980 when a jury convicted two white defendants in the shooting death of a black person. The jury's impartial verdict was considered by many, according to

Mr. Doctor, as a victory for civil rights because a white defendant had never been convicted of an offense against a black victim in Forsyth County.

The recent national media spotlight on race relations in Forsyth County, according to Mr. Doctor, is a result of racial bias vividly displayed for national news by residents of Forsyth County. Problems began as Forsyth County residents vehemently opposed plans for a brotherhood march in the county to commemorate the Martin Luther King, Jr., Federal holiday in December 1986. The plan was proposed by blacks from the surrounding area, he said. The community's opposition stalled plans for the march and SCLC entered the controversy in support of the commemoration march in January 1987. He said that two marches were held, subsequently. The first march, composed of 50 persons, met a large, angry group of whites who displayed the insignia of a historical hate group and attacked the demonstrators violently. The second march, he said, attracted civil rights supporters from around the country and was composed of 25,000 persons. Mr. Doctor referred the SAC to the March/April 1987 issue of SCLC magazine⁶ for details of the organization's version of events in Forsyth County.

Mr. Doctor underscored his view that institutional racism is a basic factor underlying racial polarization like that in Forsyth County. He recommended that leaders of national civil rights organizations and Federal Government

⁶Material on file in ERD.

collaborate with one another to identify new ways to address the problem of racism and its root causes.

Mr. Doctor recommended that the Governor and State legislature of Georgia enact legislation creating a State human relations commission, empowered to investigate complaints of bigotry and violence and a full range of civil rights matters. Previous legislation to create a human relations commission had failed in the State legislature. He said that the racial clashes in Forsyth County substantiated the need for some State body to handle intergroup relations and civil rights complaints.

Panel III--State Law on Racial/Religious Bigotry and Violence

The panelists were Robbie Hamrick, director of the Georgia Bureau of Investigation; Stephanie Manis, senior assistant State attorney general; Jackey Beavers, executive assistant to the Governor of Georgia; and Earl Shinhoster, regional director of the NAACP, Southeastern Region. Mr. Hamrick was asked to discuss the work of the bureau's Antiterrorism Task Force, present data on racial or religious bias incidents since 1982, assess trends during the period, and describe State and local law enforcement responses to hate violence. Ms. Manis was asked to identify State laws with respect to bigotry and violence, provide data on bias-related incidents since 1982, and assess trends during the period. Mr. Beaver, who has broad responsibility for liaison between minority groups and the Governor, was asked to discuss the Governor's response to bigotry

and violence. Mr. Shinhoster was asked to describe the NAACP's programs dealing with bigotry and violence and to assess conditions statewide.

Mr. Hamrick, of the Georgia Bureau of Investigation (GBI), reported that the GBI established the antiterrorism task force under the Antiterrorism Act of 1983.⁷ He said that the legislation was prompted by concern that Atlanta International Airport, one of the busiest in the Nation, would fall victim to hijackers unless it was better protected. The antiterrorism task force has a broad mandate to assist law enforcement personnel in the State of Georgia to identify, investigate, arrest, and prosecute individuals or groups of individuals who illegally threaten, harass, terrorize, or otherwise injure or damage the person or property of persons on the basis of their race, national origin, or religious persuasion. The task force's authority covers international terrorist activities and domestic terrorists-like hate groups. The activity of hate groups in Forsyth County triggered involvement of the antiterrorism task force, he said, and led to the task force providing security for the marchers.

Mr. Hamrick said that the Governor's office established a crisis intervention program to complement the GBI's antiterrorism task force. Under the Governor's program, he said, all State agency heads and a representative of the Governor are members of the task force and the director of the GBI acts as the coordinator. The coordinator sets the task force into motion by appointing a crisis intervention team tailored for the

⁷Georgia Code Ann. §§35-3-60 to -62 (1987).

situation which then makes a field investigation, evaluates the situation, and reports to the coordinator. The GBI director in turn reports to the Governor with recommendations for resolving the problem. Mr. Hamrick said the teams have performed a very valuable service in a wide range of sensitive situations around the State since 1983. He said that much of the successful handling of the Forsyth County situation was attributable to the work of the Governor's crisis intervention team and the full support of the Governor in its efforts.

Mr. Hamrick assessed law enforcement efforts dealing with bias-related incidents as generally good. He felt it was particularly important to note the help that the GBI received from local law enforcement during the Forsyth County marches.

Ms. Manis, of the State attorney general's office, described the State's civil rights laws. She reported that there were several Georgia statutes in addition to the antiterrorism act. These cover fair housing and equal employment opportunity. She said that the antiterrorism act was a major State civil rights law, but the other laws would have significant results if they were used more often as the basis for complaint. The Georgia fair housing statute,⁸ empowers the real estate commission to act upon discrimination complaints against sales persons and brokers, giving the commission authority to issue injunctive relief in cases of discrimination

⁸Georgia Code Ann. §§8-3-200 to -208 (1982).

in housing. She said that there had been little use of the fair housing statute in Georgia.

Among the remaining State civil rights statutes, Ms. Manis mentioned the Georgia Fair Employment Practices Act,⁹ describing it as a State level mirror of Title VII of the 1964 Civil Rights Act.¹⁰ She said that there is a Georgia statute which prohibits the wearing of masks and hoods which conceal the identity of the wearer in public places or on private property unless permitted by written agreement.¹¹ Another statute carries criminal felony penalties for defacement of a place of worship.¹²

Mr. Beavers, of the Governor's office, reiterated the role of the Governor's crisis intervention task force described earlier by Mr. Hamrick of the GBI. Mr. Beavers said that he acts as the "eyes and ears" for the Governor in his role as liaison with minority communities, and, as the Governor's executive assistant, he monitored task force activity and informed the Governor.

To ascertain the Governor's view on establishment of a State human relations commission, the SAC asked Mr. Beavers whether the Governor was reluctant to create a human relations commission. He answered that he did

⁹Georgia Code Ann. §§45-19-20 to -46 (Supp. 1987).

¹⁰42 U.S.C. §§2000e to e-15 (1982).

¹¹Georgia Code Ann. §16-11-38 (1984).

¹²Georgia Code Ann. §16-7-26 (1984).

not foresee any reluctance on the Governor's part to do so.¹³ Responding to a follow-up question, he said that historically in Georgia the Governor created State commissions by executive order. Such commissions, created by proclamation, are advisory bodies. A human relations commission with full powers to investigate and resolve complaints must have a statutory mandate through State legislation, otherwise the commission would have no teeth, he said.

Mr. Shinhoster, of the NAACP, reported that the NAACP southeast regional office, which he directs, sponsored a regional workshop on hate group activity in Greenville, South Carolina, on March 6, 1987. The meeting featured information compiled for the NAACP by the Center for Democratic Renewal.¹⁴ The material presented extensive detail on identifying characteristics and activities of hate groups in the region. It also contained information for school administrators on techniques for combatting hate group recruitment among students, and Federal statutes to remedy hate violence.

¹³Joy Smith Berry, executive director, Georgia Human Relations Commission, telephone interview, Apr. 21, 1988. "Governor Joe Frank Harris issued an executive order on Dec. 31, 1987, creating the Georgia Human Relations Commission. The Commission is a 15-member advisory body representing membership from the State's 10 congressional districts and 5 at-large. The Commission met in February 1988, agreed to meet biannually, and selected officers. The executive director was the sole staff person for the Commission but plans were approved for a 2-person staff."

¹⁴Copy on file in ERD.

The Center for Democratic Renewal also prepared a report form for reporting racist violence and hate group activity for the NAACP's use¹⁵. Mr. Shinhoster said that the instrument was a good bias incident reporting form. He commented that a federally established bias incident reporting system would perform poorly in Georgia and perhaps elsewhere because of large numbers of unreported incidents. Therefore, the true picture of racial and religious bigotry would not be accurately quantified. He also mentioned the need for a State bureaucracy, for example a human relations commission with enforcement powers, to administer a reporting system. He said that he doubted that State government would accept the conditions necessary to make an effective reporting system possible.

Mr. Shinhoster commented on State government leadership which was often reluctant to speak publicly on matters involving hate violence and religious bigotry. He said the public policy of the State of Georgia was exemplified by the State flag which carried the confederate battle flag on its main portion. This flag, which was instituted in 1956, has remained an expression of resistance and defiance to fundamental social, racial, political, and economic justice, he said.

Mr. Shinhoster assessed the State laws and said that he believed the State's criminal laws were sufficient to address the problems of bigotry and violence, but the laws needed enforcement. He said that the

¹⁵See appendix D.

establishment of a human relations commission would help the State combat bigotry and violence.

Summary

The forum participants focused their attention on recent hate incidents in Forsyth County which attracted national news coverage in December 1986 and January 1987. Racial violence against marchers commemorating the Martin Luther King, Jr., Federal holiday and the threat of more violence initiated a law enforcement response from the Georgia Bureau of Investigation's Antiterrorism Task Force. Despite large numbers of civil rights demonstrators and agitated counterdemonstrators converging in Cumming, the county seat, the task force and local police maintained control and the demonstrations were orderly. The forum participants generally commended the GBI for its handling of events in Forsyth County.

The Advisory Committee learned that 12 hate incidents of various types occurred in the State between January and August 1987 and a similar number occurred on the average of at least once a month for the period 1980-1986. The data were insufficient to determine whether the total of incidents for 8 months in 1987 represented an increase in the rate since 1980 and a higher annual average. The pattern for the years since 1980 indicated most incidents occurred between January and August, suggesting the likelihood that the total for 1987 would fall slightly above the average. The available data suggested that hate-motivated incidents and crimes occurred

at a steady rate of one per month between January 1980 and August 1987, probably increasing slightly in 1987.

Elsewhere around the region, the Committee learned that hate groups in North Carolina were recruiting new membership and organizing affiliates around the southeast. Their influence was spreading into Georgia and other States. In North Carolina, a previously small hate group grew from 12 to 385 members in 1985. The group had been an auxiliary associated with the State's main historical hate group. A Federal probe into 5 shooting deaths in Greensboro which resulted in jail for several members of the main hate group apparently sparked a realignment in hate group membership.

Information on incidents in North Carolina (36 incidents in 1986) and on hate group membership contributed details for the Commission's overview of hate violence.

The forum also produced an extra benefit by providing key State officials and civil rights advocates an opportunity to exchange views. Although the work of the Antiterrorism Task Force was generally applauded by community leaders, a consensus emerged that a State human rights commission was needed. The discussion led to a gubernatorial proclamation establishing the Georgia Human Relations Commission in December 1987. The advisory body held its first meeting in February 1988.

ARTICLE 3
ANTITERRORISM TASK FORCE

35-3-60. Short title.

This article shall be known and may be cited as the "Antiterrorism Act." (Code 1981, § 35-3-60, enacted by Ga. L. 1984, p. 22, § 35.)

Editor's notes. — Ga. L. 1984, p. 22, § 35, effective February 3, 1984, repealed former § 35-3-60, which dealt with legislative findings (see now § 35-3-61(a)), and enacted current § 35-3-60. Former § 35-3-60 was based on Ga. L. 1983, p. 393, § 1.

35-3-61. Legislative findings; purpose; liberal construction.

(a) This article is enacted as a direct response to the high level of reactivation of violent and terroristic acts against persons residing within the State of Georgia and in response to the outcry of the communities for assistance from the State of Georgia in combating these violent and terroristic acts.

(b) The purpose of this article shall be to assist law enforcement personnel in the State of Georgia to identify, investigate, arrest, and prosecute individuals or groups of individuals who illegally threaten, harass, terrorize, or otherwise injure or damage the person or property of persons on the basis of their race, national origin, or religious persuasion.

(c) It is the intent of the General Assembly that this article be interpreted and construed liberally to accomplish its purposes. (Code 1981, § 35-3-61, enacted by Ga. L. 1983, p. 393, § 1; Ga. L. 1984, p. 22, § 35.)

Editor's notes. — The language formerly contained in subsection (a) of this Code section prior to the 1984 amendment is now contained in § 35-3-60. See § 35-3-60 and notes thereto.

35-3-62. "Terroristic act" defined.

As used in this article, the term "terroristic act" means an act which constitutes a crime against the person or against the residence of an individual which is committed with the specific intent of and may reasonably be expected to instill fear into such person or persons or which is committed for the purpose of restraining that person or those persons from exercising their rights under the Constitution and laws of this state and the United States and any illegal act directed at other persons or their property because of those persons' political beliefs or political affiliations. (Code 1981, § 35-3-62, enacted by Ga. L. 1983, p. 393, § 1; Ga. L. 1984, p. 22, § 35; Ga. L. 1987, p. 3, § 35.)

The 1987 amendment, effective February 4, 1987, part of an Act to correct errors and omissions in the Code, made language changes near the end of this Code section.

Appendix B

16-11-38. Wearing mask, hood, or device which conceals identity of wearer.

(a) A person is guilty of a misdemeanor when he wears a mask, hood, or device by which any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer and is upon any public way or public property or upon the private property of another without the written permission of the owner or occupier of the property to do so.

(b) This Code section shall not apply to:

(1) A person wearing a traditional holiday costume on the occasion of the holiday;

(2) A person lawfully engaged in trade and employment or in a sporting activity where a mask is worn for the purpose of ensuring the physical safety of the wearer, or because of the nature of the occupation, trade, or profession, or sporting activity;

(3) A person using a mask in a theatrical production including use in Mardi gras celebrations and masquerade balls; or

(4) A person wearing a gas mask prescribed in emergency management drills and exercises or emergencies. (Ga. L. 1951, p. 9, §§ 3, 7; Code 1933, § 26-2913, enacted by Ga. L. 1968, p. 1249, § 1.)

OPINIONS OF THE ATTORNEY GENERAL

Georgia Crime Information Center is authorized to maintain records identifying persons charged under this section. 1976 Op. Att'y Gen. No. 76-33.

RESEARCH REFERENCES

Am. Jur. 2d. — 12 Am. Jur. 2d, Breach of Peace, § 38.

C.J.S. — 64 C.J.S., Municipal Corporations, § 1774.

ALR. — What amounts to disguise within criminal law. 1 ALR 642.

Validity and construction of state statute

or ordinance prohibiting picketing, parading, demonstrating, or appearing in public while masked or disguised, 2 ALR4th 1241.

Validity of law criminalizing wearing dress of opposite sex. 12 ALR4th 1249.

16-7-26. Vandalism to a place of worship.

(a) A person commits the offense of vandalism to a place of worship when he maliciously defaces or desecrates a church, synagogue, or other place of public religious worship.

(b) A person convicted of the offense of vandalism to a place of worship shall be punished by imprisonment for not less than one nor more than five years. (Ga. L. 1967, p. 457, § 1; Code 1933, § 26-1505, enacted by Ga. L. 1968, p. 1249, § 1.)

RESEARCH REFERENCES

ALR. — Validity and construction of statute or ordinance prohibiting desecration of church. 90 ALR3d 1128.

RACIST VIOLENCE AND HATE GROUP ACTIVITY REPORT FORM
NAACP SOUTHEAST REGION

___/___/___ Date of Report

SOURCE

Name/Org _____
Street Address _____
City/County/State/Zip _____
Phone # _____

DATE OF INCIDENT ___/___/___ TIME(if possible) ___ AM or PM

LOCATION OF INCIDENT

Street Address _____
City/County/State/Zip _____
Phone # _____
Name of Victim(s) _____

Is Address of Victim(s) Same As Above? ___ If not, list below.

ACTIVITY

- | | |
|---|---|
| <input type="checkbox"/> Physical Assault | <input type="checkbox"/> Private Meeting |
| <input type="checkbox"/> Verbal Threat/Harassment | <input type="checkbox"/> Public Meeting/Rally |
| <input type="checkbox"/> Vandalism | <input type="checkbox"/> Crossburning |
| <input type="checkbox"/> Arson | <input type="checkbox"/> Paramilitary Activity |
| <input type="checkbox"/> Shooting | <input type="checkbox"/> Electoral Activity |
| <input type="checkbox"/> Murder | <input type="checkbox"/> Literature Distribution |
| <input type="checkbox"/> Bombing | <input type="checkbox"/> Streetside Fundraising |
| <input type="checkbox"/> Possible Denial of Civil Rights Because of above | <input type="checkbox"/> Other Political Activity |

Describe incident in as much detail as possible. If necessary, continue on another sheet of paper.

PERPETRATOR

- | | |
|--|---|
| <input type="checkbox"/> Unaffiliated Individual | <input type="checkbox"/> Affiliated Individual |
| <input type="checkbox"/> Unaffiliated Group | <input type="checkbox"/> Affiliated Group or Organization |

Name of Perpetrator _____
Address _____

ATTACH SUPPORTING DOCUMENTATION.(Newspaper clip,police report,etc)

Report Form Side Two

DESCRIPTION OF PERPETRATOR(S), PARTICIPANTS, EVENT, CONTINUED

Name of publication _____

Is publication attached? _____

Other Identifying Characteristics (if appropriate)

Type of clothing (robes, fatigues, etc.) _____

Age/Sex/Physical Description _____

Other _____

Number of people involved in meeting/rally/etc. _____

Apparent leadership _____

Speaker(s) _____

OTHER REMARKS _____

FOLLOW UP

__ Press Criminal Charges

__ Press Civil Charges

__ Investigate Further

__ Documentation

Other(specify) _____

__ Interview

__ Send Information

Copies to: _____, _____, _____

Follow Up Notes: _____

_____ Processor

Quality of Information 1 2 3 4 5

Return this form to:

NAACP Southeast Regional Office

970 Martin Luther King Drive, S.W. - Suite #203

Atlanta, Ga. 30314

phone: 404 688-8868

(FORM PREPARED BY CENTER FOR DEMOCRATIC RENEWAL)